



Attorney's Docket No.: 00537-184002 / 066/US/PCT/US

DT05 Rec'd PCT/PTO 04 NOV 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : FRANCIS X. IGNATIUS

Art Unit : Unknown

DEC 27 2002

Serial No. : 09/830,945

Examiner : Unknown

Filed : May 2, 2001

TECH CENTER 1600/2900

Title : LACTONE BEARING ABSORBABLE POLYMERS

Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Please correct the Filing Receipt for the above-referenced application to add the benefit of priority of U.S. application number 09/184,413, filed November 2, 1998, as listed on the enclosed copy of the combined declaration and power of attorney.

No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

Date: October 30, 2002

Jeffrey D. Hsi
Reg. No. 40,024

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20531060.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 30, 2002

Date of Deposit

Signature

Lindsie Cahill

Typed or Printed Name of Person Signing Certificate

BIOMEASURE REF. NO.:

0106/US/PCT/US

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO. | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|------------------|----------|------------|------------|
| 09/830,945 | 07/12/2001 | 1714 | 1170 | 00537-184002 | | 30 | 1 |

Biomeasure Incorporated
27 Maple Street
Milford, MA 01757



CONFIRMATION NO. 5355

FILING RECEIPT



OC000000008221928

Date Mailed: 06/04/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Francis X. Ignatious, Exton, PA; /

which claims benefit
of 09/184,413 11/02/1998

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/US99/25706 11/02/1999
WHICH CLAIMS BENEFIT OF 60/106,708 11/02/1998

Foreign Applications

| |
|-------------------------------|
| Docketed By Billing Secretary |
| Due Date: _____ |
| Deadline: _____ |
| 2000 trials: _____ |

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

Non-Publication Request: No

Early Publication Request: No

Title

Lactone bearing absorbable polymers

Preliminary Class

525

| |
|-----------------------------|
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| BIOMEASURE INC. PATENT DEPT |
| JUN 10 2002 |
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CC: FISH REF. NO.:

00537-184002

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**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled LACTONE BEARING ABSORBABLE POLYMERS, the specification of which:

☐ is attached hereto.

☒ was filed on May 2, 2001 as Application Serial No. 09/830,945 and was amended on _____.

☒ was described and claimed in PCT International Application No. PCT/US99/25706 filed on November 2, 1999 and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

| <u>U.S. Serial No.</u> | <u>Filing Date</u> | <u>Status</u> |
|------------------------|--------------------|---------------|
| 60/106,708 | November 2, 1998 | |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| <u>U.S. Serial No.</u> | <u>Filing Date</u> | <u>Status</u> |
|------------------------|--------------------|---------------|
| 09/184,413 | 11/02/1998 | Abandoned |
| 09/428,709 | 10/28/1999 | Abandoned |

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

| <u>Country</u> | <u>Application No.</u> | <u>Filing Date</u> | <u>Priority Claimed</u> |
|----------------|------------------------|--------------------|--|
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

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Combined Declaration and Power of Attorney

Page 2 of 2 Pages

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Y. Rocky Tsao, Reg. No. 34,053; Brian R. Morrill Reg. No. 42,098; Alan F. Feeney Reg. No. 43,609; Timothy A. French, Reg. No. 30,175; Eric L. Prah, Reg. No. 32,590; and Frank R. Occhuiti, Reg. No. 35,306.

Address all telephone calls to Brian R. Morrill at telephone number (508) 478-0144.

Address all correspondence to Brian R. Morrill, Esq. at:

Biomeasure, Incorporated
27 Maple Street
Milford, MA 01757

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: FRANCIS X. IGNATIUS

Inventor's Signature: _____

Date: June 11, 2001

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Citizenship: IN

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United States of America